

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

Chapter 11

EAST 44TH REALTY, LLC,

Case No. 05-16167

Debtor.

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APPELLANT'S DESIGNATION OF RECORD AND STATEMENT OF ISSUES

Josef Bildirici, by his attorneys, Backenroth Frankel & Krinsky, LLP, having filed a notice of appeal dated August 20, 2007, from an order of the Bankruptcy Court dated August 9, 2007, hereby designates the following for inclusion in the record on appeal and sets forth a statement of issues to be presented on appeal, pursuant to Bankruptcy Rule 8006:

1. 06/14/2007 docket nos. 246, 248, Motion of the Chapter 11 Trustee For: (I) an Order (A) Approving an Agreement for the Trustee to Assume and Assign, Sell and Convey Leases, (B) Approving Bidding Procedure (Including Break-up Fee), and (C) Approving Notice and (II) an Order Approving the Trustee's Sale of the Leases 07/13/2007, docket no. 259, Order Approving the Bidding Procedure for the Auction and Sale of the Estate's Asset.
2. 07/17/2007, docket no. 260, Notice of Auction and Sale Hearing .
3. 07/17/2007, docket no. 262 Letter / Notice of Monetary Cure
4. 07/18/2007, docket no. 267, Trustee's Motion Pursuant to Federal Rule of Bankruptcy Procedure 9019(a) Seeking Approval of Global Stipulation and Mutual Releases Between and

Among David R. Kittay, Chapter 11 Trustee for the Debtor, New York Community Bank and East Forty-fourth Street L.L.C.

5. 07/27/2007, docket no. 268, Order to Show Cause
6. 07/27/2007, docket no. 269, Notice of Hearing of Trustee's Motion Pursuant to Federal Rule of Bankruptcy Procedure 9019(a) Seeking Approval of Global Stipulation and Mutual Releases Between and Among David R. Kittay, Chapter 11 Trustee for the Debtor, New York Community Bank and East Forty-fourth Street L.L.C.
7. 08/02/2007, docket no. 275, Objection to Landlord's Cure Claim filed by Mark A. Frankel on behalf of Yusef Bildirici.
8. 08/06/2007, docket no. 276, Objection to Trustee's Motion for Approval of Settlement filed by Mark A. Frankel on behalf of Yusef Bildirici.
9. 08/07/2007, docket no. 277, Response to Yusef Bildirici's Objection to Cure Claim
10. 08/09/2007, docket no 279, Order Approving Global Stipulation and Mutual Releases between and among David R. Kittay, Chapter 11 Trustee for the Debtor, New York Community Bank and East Forty-Fourth Street, L.L.C.
11. Transcript of Hearing Held on 8/8/07 at 2:06 p.m. Re: Global Stipulation
12. 08/20/2007, docket no. 284, Notice of Appeal

ISSUES PRESENTED

1. Did the Bankruptcy Court err in approving the global stipulation and mutual releases between and among David R. Kittay, Chapter 11 Trustee for East 44th Realty, LLC., New York Community Bank and East Forty-Fourth Street, L.L.C.?

Dated: New York, New York
August 29, 2007

BACKENROTH FRANKEL & KRINSKY, LLP
Attorneys for Josef Bildirici

By: s/Mark Frankel
489 Fifth Avenue
New York, NY 10017
(212) 593-1100